

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

**THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,
as representative of
THE COMMONWEALTH OF PUERTO
RICO, et al.,**

Debtor

**UNIVERSITY OF PUERTO RICO
RETIREMENT SYSTEM, THROUGH THE
UNIVERSITY OF PUERTO RICO
RETIREMENT BOARD**

Plaintiffs

v.

**UNIVERSITY OF PUERTO RICO
THROUGH THE UNIVERSITY OF PUERTO
RICO GOVERNING BOARD; CPA
RICARDO DALMAU-SANTANA,
PRESIDENT OF THE UNIVERSITY OF
PUERTO RICO GOVERNING BOARD; XYZ
ENTITY**

Defendants

PROMESA Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**Adv. Proc. No. 23-00038-LTS in 17 BK
3283-LTS**

MOTION TO SHOW CAUSE

**TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE LAURA
TAYLOR SWAIN:**

NOW COME Defendants the University of Puerto Rico (the “UPR”), and the University of Puerto Rico Governing Board and Mr. Ricardo Dalmau-Santana in his official capacity as President of the Governing Board (collectively the “Governing Board”), through the undersigning counsel, and respectfully allege and pray as follows:

1. The Civil Action was originally filed on May 11, 2023, before the Puerto Rico Court of First Instance in San Juan, Puerto Rico. On May 24, 2023, Defendants removed the Civil Action. (Dkt. 24302.). On May 31, 2023, this Honorable Court issued an Order to Show Cause Concerning

Assignment of Adversary Proceeding. (Dkt. 5.) In its order, this Honorable Court ordered appearing defendants to “...to show cause in writing... as to why the Court should not reject the Action as an adversary proceeding and refer the Action to the Clerk of Court for processing and judicial assignment in accordance with the ordinary procedures of the District Court.” (Dkt. 5, at page 3.)

2. Appearing parties respectfully inform that they have no objection to this removal being referred to the Clerk of Court for processing and judicial assignment in accordance with the ordinary procedures of the District Court. The District Court has jurisdiction as to all matters concerning the implementation of the fiscal plans approved by the FOMB as a matter of preemption pursuant to Title II of PROMESA. Notwithstanding, the appearing defendants do not waive any arguments or defenses, jurisdictional or otherwise.

WHEREFORE it is very respectfully requested that this Honorable Court take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this June 13, 2023.

I HEREBY CERTIFY that on this date, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

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